

FILED

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

JUN 28 1999

TIMOTHY R. WALBRIDGE, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

IN RE:

GUTHRIE, CRAIG A. and
GUTHRIE, MARILYN G.

Debtors.

STEVEN W. SOULÉ, TRUSTEE
FOR THE ESTATE OF CRAIG
A. GUTHRIE AND MARILYN G.
GUTHRIE,

Plaintiff,

v.

FLETCHER ANDERSON,
BRANCH INVESTMENT GROUP, LLC,
a California limited liability company,
and GREATWAY CORPORATION,

Defendants.

Case No. 96-05015-M
(Chapter 7)

Adv. No. 98-0341-M

JOURNAL ENTRY OF JUDGMENT

THIS MATTER comes before the Court on the Motion for Default Judgment (the "Motion") filed herein by Steven W. Soulé, the duly appointed and authorized Chapter 7 trustee (the "Trustee") for the bankruptcy estate of Debtors Craig A. and Marilyn G. Guthrie (the "Debtors"). The Court, having reviewed the pleadings on file herein, and having heard statements of counsel, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. This Court has jurisdiction over the subject matter hereof and the parties hereto. Venue of this action properly lies in this District.



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2. A Complaint was filed by the Trustee against Defendants Fletcher Anderson, Branch Investment Group, LLC and Greatway Corporation on December 7, 1998.

3. On December 15, 1998 and February 22, 1999, the Trustee served Defendants with Summons and a copy of the Complaint, and on January 26, 1999 and June 4, 1999, returned the respective Summons to the Court.

4. To date, the Defendants have not filed an answer or otherwise plead to the Complaint, and, therefore, pursuant to Fed. R. Bankr. P. 7055 and Fed. R. Civ. P. 55(a), the Defendants are in default.

5. Each of the material allegations set forth in the Trustee's Complaint is deemed admitted by the Defendants.

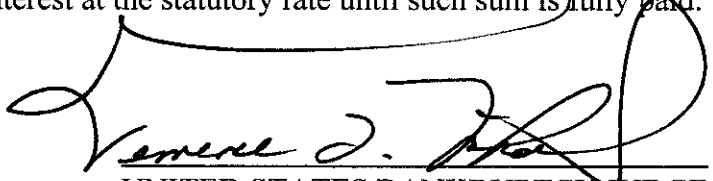
6. The Trustee is entitled to judgment by default pursuant to Fed. R. Bankr. P. 7055 and Fed. R. Civ. P. 55(b)(1) against the Defendants.

CONCLUSIONS OF LAW

7. The Trustee is entitled to judgment in its favor and against the Defendants in the amount of \$42,000.00, plus interest on such sum from the date of the Petition at the lawful statutory rate, all as prayed for in its Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Trustee is granted judgment in favor of the Debtors' estate against the Defendants, in the amount of \$42,000.00, together with post-judgment interest at the statutory rate until such sum is fully paid.

Dated this 28th day of June, 1999.


UNITED STATES BANKRUPTCY JUDGE

**HALL, ESTILL, HARDWICK, GABLE,
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